



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

May 15, 2020

**BY ECF**

Application granted.

The Honorable William H. Pauley III  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J.

**Re: *United States v. Allen Lawrence*, 20 Cr. 272 (WHP)**

May 15, 2020

Dear Judge Pauley:

The Government respectfully submits this letter motion seeking Court approval to correct a typographical error in the Information that was filed in this case earlier this week. Specifically, the Information erroneously cites Title 21 of the United States Code, rather than the correct Title 18, in the statutory citation listed beneath the charging language of Count One. The balance of the citation is correct.

Federal Rule of Criminal Procedure 7(e) permits amending an information at any time before verdict unless a different offense is charged or a substantial right of the defendant is prejudiced. In addition, the Second Circuit has held with respect to indictments that “the correction of merely technical errors, such as typographical or clerical mistakes, is permissible where it does not alter the essential substance of the charging terms.” *United States v. Miller*, 116 F.3d 641, 669 (2d Cir. 1997) (allowing insertion of defendant’s name inadvertently omitted from one count of indictment); *see also United States v. Cirami*, 510 F.2d 69, 72-74 (2d Cir. 1975) (allowing correction of defendant’s name); *cf. Fed. R. Crim. P. 7(c)(2)* (“Unless the defendant was misled and thereby prejudiced, neither an error in a citation nor a citation’s omission is a ground to dismiss the indictment or information or to reverse a conviction.”).

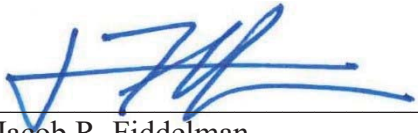
The undersigned has conferred with defense counsel, and the defendant consents to this correction without the need for any further arraignment or waiver of indictment proceedings. Accordingly, the Government respectfully requests that the Court so-order this letter, and the

Government will then file an amended Information with the Clerk of Court.

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

by:



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Assistant United States Attorney  
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cc: Ian Marcus Amelkin, Esq. (by ECF)